4960090/2021/VIGILANCE-I-ICD01

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Water Resources Department – Allegations of corruption against Sri G.Venkata Ramaiah, formerly Deputy Executive Engineer, O/o Telugu Ganga Project Sub Division No.1, Brahmgarimatam, Kadapa District now retired - Implementation of the judgment of Hon'ble Andhra Pradesh Administrative Tribunal in OA No.6318/2014, dated 17-1-2018 by following rule 21 (2) of Deputy Executive Engineer Civil Services (Classification Control & Appeal) Rules, 1991 - Set aside the orders of G.O.Ms.No.79, Irrigation & CAD (IW.SERVICES-VI(1() Department, dated: 24.07.2010 – Orders – Issued.

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WATER RESOURCES (VIGILANCE.I) DEPARTMENT

G.O.Ms.No.43 Dated:09.09.2021

Read the following:-

1. G.O.Ms.No.79, Irrigation & CAD (IW: SERVICES-VI (1) Dept., dt.24.07.2010.
2. From the Hon'ble APAT judgment dated 17-01-2018 in O.A.No.6318/2014 fled by Sri G. Venkata Ramaiah, Dy. EE [Retd.,].
3. From the Hon'ble High Court of A.P., judgment in W.P.No.7101 of 2021 dt.30.03.2021.

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ORDER:

In the reference 1st read above, orders were issued imposing a penalty of reduction by two stages in the present scale of pay against Sri G. Venkata Ramaiah Deputy Executive Engineer, O/o Telugu Ganga Project Sub Division No.1, Brahmgarimatam, Kadapa District now retired on the allegations of demanded and accepted the bribe amount of Rs.3,000/- as illegal gratification from the complainant of Sri V.Jayarama Reddy for doing an official favour pending with him duly following the prescribed procedure.

2. Aggrieved with the above punishment orders, Sri G.Venkta Ramaiah, Deputy Executive Engineer (Retired.) has filed O.A.No.6318/2014 in the Hon'ble Andhra Pradesh Administrative Tribunal and the Hon'ble Andhra Pradesh Administrative Tribunal in its judgment dt.17.01.2018, has directed the following through the reference 2nd read above:-

"The impugned order of penalty imposed on the applicant vide G.O.Ms.No.79, Irrigation & CAD (IW.SERVICES-VI(1() Department, dated: 24.07.2010 is set aside and the matter is remitted back to the 1st respondent with a direction to follow Rule 21(2) of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 and the principles of law laid down by the Apex Court and the Hon'ble High Court of Andhra Pradesh referred to above in the matter of imposing penalty while recording disagreement with the finding of the Inquiring Authority/Tribunal for Disciplinary Proceedings and then pass appropriate orders in accordance with the law within a period of six months from the date of receipt of copy of the order.

(P.T.O)

3. In the reference 3rd read above, Government have filed Appeal petition against the judgment of Hon'ble Andhra Pradesh Administrative Tribunal in O.A.No.6318/2014, dt.17.01.2018 before the Hon'ble High Court and the Hon'ble Andhra Pradesh High Court in its judgment in W.P.No.7101 of 2021 dated 30-3-2021 has directed the following:-

> "The Hon'ble High Court having examined notice dated 16.12.2008 issued by the disciplinary authority, we find that the authority had already come to a categorical finding contrary to that of the inquiry officer without obtaining response from the delinquent concerned. Hence, we are in agreement with the finding of the Tribunal that the proceedings were conducted in breach of Rule 21(2) of the Andhra Pradesh (Classification Control and Appeal) Rules, 1991 and authority ought to have proceeded afresh as directed by the Tribunal. The Hon'ble High Court has opined that this is not a fit case to interfere with the order impugned".

4. Government after careful examination the matter have decided to set aside the orders issued in G.O.Ms.No.79, Irrigation & CAD (IW.SERVICES-VI(1)) Department, dated:24.07.2010 against Sri G.Venkata Ramaiah Deputy Executive Engineer, O/o Telugu Ganga Project Sub Division No.1, Brahmgarimatam, Kadapa District now retired duly following Rule 21(2) of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 and the principles of law laid down by the Apex Court and the Hon'ble High Court of Andhra Pradesh referred to above in the matter by implementing judgment of Hon'ble Andhra Pradesh Administrative Tribunal. Accordingly, the orders issued in G.O.Ms.No.79, Irrigation & CAD (IW.SERVICES-VI (1)) Department, dated: 24.07.2010 are hereby set aside.

5. The Engineer-in-Chief (AW), Water Resources Department, Vijayawada is requested to take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

SYAMALA RAO JAMJAM
SECRETARY TO GOVERNMENT

To
Sri G. Venkata Ramaiah Deputy Executive Engineer,
O/o Telugu Ganga Project Sub Division No.1,
Brahmgarimatam, Kadapa District now retired through Engineer-in-Chief (AW) Water Resources Department, Vijayawada
The Engineer-in-Chief (AW), Water Resources Department, D.No:48-10-9/1, N.H.Feeder Road, Currency Nagar, Vijayawada-520008.
Sc/Sf

//FORWARDED::BY ORDER//

SECTION OFFICER